

**EXHIBIT 2**

LEVY RATNER, P.C.

*FIRM RÉSUMÉ*

**LEVY RATNER, P.C.**

Levy Ratner, P.C.  
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**Advocating for Unions and Workers for 35 Years**

Levy Ratner's thirty-five-year record of successfully representing unions and expanding workers' rights places the firm at the forefront of the labor-side advocacy movement. The firm offers comprehensive representation for our clients in the workplace, in arbitrations, at the bargaining table, before federal, state and municipal labor boards, and in the courtroom. We provide counsel that is proactive as well as responsive in order to help our clients engage their challenges at every level.

Levy Ratner has twenty (20) lawyers actively engaged in its practice: eleven (11) partners, six (6) associates, three (3) labor attorneys who are "senior counsels" to the firm and a dedicated support staff. Our union clients represent workers in a variety of industries, from health care to academia, from textiles to utility workers.

In addition to institutional clients, we have taken on major cases on behalf of individuals and groups of employees. We have recently won victories and settlements in major class action civil rights cases and lawsuits to restore pension fund assets to members. We have worked as cooperating attorneys with the Center for Constitutional Rights and with the NYCLU.

**Areas of Practice:**

- ❖ Representing Labor Unions and Funds
  - Labor Law (NLRA, LMRDA, PERB, and N.J. PERC)
  - Organizing
  - Negotiations
  - Grievances and Arbitrations
  - Unfair Labor Practice Charges
  - Union Elections, Internal Union Administration
  - Taft-Hartley Benefit Funds, ERISA
  - Bankruptcy
  - Campaign Finance Issues
- ❖ Employee Rights
  - Employment Discrimination
  - Employee Pension and Health Benefits

LEVY RATNER, P.C.

- Wage and Hour
- Severance Agreements
- Employment Contracts

❖ Other areas of service

- Civil Rights
- Campaign Finance/Election Law
- First Amendment/Demonstration and Protest Issues
- Land Use
- Not-for-Profit Representation
- Personal Injury
- Arts and Entertainment
- General Litigation

**Richard A. Levy (Partner)**

Richard A. Levy (Cornell, B.A., 1964, NYU School of Law, J.D., 1968) is a senior partner at LR. He has practiced labor, employment and employee benefits law almost exclusively since 1971. During law school he was associate editor of the Annual Survey of American Law. A member of the United States Supreme Court Bar, Levy has lectured at conferences for the NLRB, AFL-CIO, Practicing Law Institute and has published articles on labor law and civil rights litigation. He has served on the Lawyers Advisory Panel of the AFL-CIO.

Levy began his legal career in the Legal Aid Society's criminal appeals bureau where he litigated extensively in the area of prisoner's rights. He has represented unions and Taft-Hartley pension and health funds for more than 30 years, served as General Counsel of 1199/SEIU United Healthcare Workers East for more than a decade, and is currently counsel to the 1199 Pension Fund and the 1199 National Benefit Fund, as well as to the union itself. Levy represented the UAW in organizing campaigns at Harvard, Boston University, Columbia, Teachers College and other unions in both the private and public sectors. He has been the lead litigator in numerous LMRDA cases, lawsuits challenging racial and ethnic discrimination including, recently, a successful class action challenge to racist practices in the New York Police Department, and in cases brought for the benefit of welfare and pension fund participants.

**Daniel J. Ratner (Partner)**

Daniel J. Ratner (George Washington University, B.A., 1969, New School University. M.A. Economics, 1973, Brooklyn Law School, J.D., 1982) began his career in labor with twelve years as an organizer for 1199 SEIU and the UAW. His legal career has spanned nearly 20 years, during which time he has represented a variety of unions including those in the profit and not-for-profit sectors. He currently serves as General Counsel to 1199 SEIU.

Ratner was a member of the AFL-CIO national litigation team that established the health care bargaining unit rules through NLRB rule making and litigation up to the U.S. Supreme Court in late 1980s and early 1990s. He has argued before the NLRB on the issues of RN supervisory status (Alaska Providence Hospital), independent contractor status (Dial-A-Mattress) and joint employee status of agency workers (M.B. Sturgis). He is responsible for the legal victory that established the right of graduate teaching assistants to organize under the NLRA in 2000. Dan is a member the AFL-CIO's Lawyers Coordinating Committee and has been a member of the AFL-CIO's Legal Advisory Panel.

**Daniel Engelstein (Partner)**

Daniel Engelstein (Brandeis University, B.A., 1972, Boston College Law School, J.D., magna cum laude, 1976). After a short stint as an Assistant District Attorney in Boston, Engelstein's practice has focused on labor relations and related employment law fields. He served as staff counsel to then National Labor Relations Board Member John A. Penello from 1977 to 1979. He joined the firm of Vladeck, Waldman, Elias & Engelhard in 1979, and became a member in 1982. Engelstein joined LR as a member in 1996.

During his twenty years of experience in labor, employment and benefits law, Engelstein has represented labor organizations, employee benefit funds and individual employees in: negotiations, administrative proceedings, arbitration, bankruptcy proceedings, internal union disputes, employment discrimination litigation and civil rights actions, injunction proceedings, contract actions, employee benefits cases and for general consultation.

**Gwynne A. Wilcox (Partner)**

Gwynne A. Wilcox (Syracuse University, Rutgers University School of Law, J.D.). Wilcox's practice is devoted to representing unions before the National Labor Relations Board and other administrative agencies, and in arbitrations, litigation and contract negotiations. Prior to private practice, she worked for over five years at Region 2 of the National Labor Relations Board in New York City.

Wilcox is a fellow of the College of Labor and Employment Lawyers and is currently President of the New York City Industrial Relations Research Association, and a member of the Labor and Employment Committee of the Association of the Bar of the City of New York. She is a former Associate Editor of *Developing Labor Law*, the preeminent labor law treatise published by the ABA and is an active member of the *Developing Labor Law and Technology Committees* of the ABA's Section of Labor and Employment. She has served as a member of the AFL-CIO Lawyers Coordinating Committee Board of Directors. She has authored and presented numerous papers in the area of technology issues in the workplace. Her article entitled "Section 7 Rights of Employees and Union Access to Employees: Cyber Organizing" was published in *The Labor Lawyer*, Fall 2000. She has made numerous presentations in the areas of arbitration, NLRA, and other employment laws to state bar associations and the National Academy of Arbitrators.

### **Pamela Jeffrey (Partner)**

Pamela Jeffrey (Barnard College, B.A., 1984, State University of New York School of Law at Buffalo, J.D. 1991), began her career in labor as an organizer for District 65, UAW. Since 1991 Jeffrey has been primarily representing LR's labor clients in arbitrations, collective bargaining, internal union matters, litigation and before the National Labor Relations Board. In addition, she has worked on plaintiff side employment discrimination cases including a class action case against the New York City Police Department. She has been a partner in the firm since 1999.

### **Owen M. Rumelt (Partner)**

Owen M. Rumelt (Stony Brook University nee State University of New York at Stony Brook, B.S. with honors in Applied Mathematics and Statistics, 1981, George Washington University National Law Center, J.D., 1984) joined Levy Ratner in 1998. He has concentrated his practice in ERISA matters and the representation of Taft-Hartley and single-employer benefit funds for more than eighteen years. Prior to joining LR, he was a senior benefits attorney at Cohen, Weiss and Simon and a member of Vladeck, Waldman, Elias and Engelhard, P.C. Rumelt has acted as counsel for numerous multi-employer benefit funds in areas of general representation including plan design and qualification, fiduciary obligations and statutory compliance, and has extensive ERISA litigation experience. Rumelt has been an instructor in the International Foundation of Employee Benefit Plans' Certified Employee Benefits Specialist program and has lectured at conferences sponsored by the IFEFP, NELA/NY and the ABA Center for Continuing Legal Education.

### **Kevin Finnegan (Partner)**

The chair of Levy Ratner's Campaign Finance Group, Finnegan also has a substantial practice in the area of land use and in state legislative matters. He graduated Magna cum laude from University of California, Hastings College for Law, 1986 and practiced as a commercial and civil rights litigator for eight years before deciding to move into the political arena fulltime. Finnegan became a veteran strategist of political campaigns and has also worked on many state budgetary and legislative matters. He worked on many organizing and legislative campaigns on behalf of homecare workers and other low wage workers including immigrants employed in small New York City grocery stores and delis. As a lawyer, Finnegan has had extensive experience in election law, campaign finance, environmental and land use litigation. He works with labor unions to develop strategies for maximum leverage in new organizing through intervention in the land use review and approval process. He lectures on campaign finance issues for labor unions and also represents unions in both contract negotiations and as a lobbyist.

Prior to joining Levy Ratner, Finnegan served as the Deputy Director of the SEIU NYS Council where he directed several major legislative and electoral efforts for 1199 SEIU. In addition, he has served as manager or consultant on numerous state and local election campaigns including Hillary Clinton's first Senate race. He has represented individual candidates, and the Working Families Party, in election law proceedings and, as a

lobbyist, has extensive experience in Federal and NYS campaign finance law and has represented clients and managed campaigns operating under the New York City campaign finance program. Finnegan serves as General Counsel to the Working Families Party.

**Carl J. Levine (Partner)**

Carl J. Levine (University of Michigan, B.A., 1981, Eastern Michigan University, M.A. Special Education, 1992, Yale Law School, J.D., 1997) clerked for Judge Patterson in the United States District Court for the Southern District of New York following his graduation from law school.

Levine represents labor unions and practices employment and civil rights law. His main area of practice is the representation of academic workers. Levine represents the faculty unions at Rutgers (AAUP/AFT), New Jersey Institute of Technology (AAUP) and Union County College (AAUP). Levine represented the faculty of New School University (UAW) during their organizing drive, and has represented the graduate student employee unions at NYU (UAW) and Columbia (UAW). Levine has also represented individual faculty members at universities including Columbia, Fordham, Seton Hall, Drew and Stevens Institute of Technology. Levine has written numerous articles, and conference papers addressing the topic of union rights of graduate student employees and faculty members, including presentations at the 2004 Annual Conference of the National Center for the Study of Collective Bargaining in Higher Education and the Professions, and the 2004 National Conference of the Coalition of Graduate Employee Unions.

Prior to practicing law Levine was a Chief Steward and union reform leader in AFSCME Local 1583, and taught elementary special education in the Ann Arbor Public Schools. While at Yale Law School, in addition to serving as a volunteer advocate for the Yale unions, including the Graduate Employees Student Organization, Levine served as Student Director for the Disability Law Clinic of the Jerome N. Frank Legal Services Organization, and wrote major papers on topics including an in-depth case study of the reform of the educational finance system in the state of Michigan, and the legality of mandatory arbitration agreements included in individual employment contracts.

**David Slutsky (Partner)**

David Slutsky (State University of New York at Binghamton, B.S., 1995, George Washington University Law School, J.D., 1998). Prior to joining LR, Slutsky completed a one-year post-graduate fellowship with the Service Employees International Union's legal department in Washington, D.C. Slutsky works on a wide range of labor, employment, and employee benefit issues.

**Allyson Belovin (Partner)**

Allyson L. Belovin (Cornell University School of Industrial and Labor Relations, B.S., 1993, Georgetown Law School, J.D., 1996) joined LR in 2000, after several years representing unions and benefit funds in the building and construction industry.

At LR, Belovin represents labor unions and individual employees in a variety of industries including health care, utilities, brewery, postal service, cultural organizations, typography, hotel and restaurant, and academia. She practices before the NLRB and other administrative agencies, and has substantial experience in arbitrations and collective bargaining negotiations. Belovin also litigates cases in federal and state court under various employment statutes including Title VII and FLSA. Additionally, she represents unions and candidates in union elections and other internal union matters.

Belovin is on the Board of Editors of the well-known treatise *How to Take A Case Before the NLRB* and has authored and presented papers on various subjects including arbitration of employee discipline cases, deposition techniques in labor cases, and the labor law implications of corporate restructuring.

### **Suzanne Hepner (Partner)**

Suzanne Hepner (Barnard College, B.A., 1995, University of Connecticut School of Law, J.D., 2000) has spent her entire career in the labor movement. She is currently chair of LR's Bankruptcy and Collections practice which is devoted to securing health, pension and other benefits for union members. Hepner has represented various Taft-Hartley funds in collections matters, ERISA litigation and bankruptcy proceedings and primarily represents the 1199National Benefit Fund which provides health insurance to hundreds of thousands of union members and their dependents. She has represented both benefit funds and unions in several complex and high profile Bankruptcy cases in the health care and airline industries.

Hepner also represents the firm's clients in arbitrations, litigation, administrative agency proceedings and collective bargaining negotiations. Prior to practicing law, she was employed at Yale University where she was a member of HERE. She later became Chief Steward and Organizer for HERE's 2,500-member bargaining unit at Yale.

### **Richard Dorn (Senior Counsel)**

Richard Dorn (City College of NY, B.A., 1955, Columbia Law School, J.D., 1960, New York University School of Law, L.L.M., 1963). A former member of Sipser, Weinstock, Harper and Dorn, his career has spanned over 30 years in the labor movement. He has represented unions and employees – including Automobile Workers, Furniture Workers, Optical Workers, Teamsters, Utility Workers, Healthcare Workers, and Public Employees – in all aspects of labor law, including actions under federal and state civil rights statutes, representation and unfair labor practice proceedings before the NLRB, PERB, and OCB, arbitration proceedings, and actions under the Fair Labor Standards Act and the Labor-Management Reporting and Disclosure Act. He has tried cases in New York, New Jersey, Connecticut and Pennsylvania, and has argued appeals before a number of federal appellate courts.

### **Jennifer J. Middleton (Senior Counsel)**

Jennifer J. Middleton (Yale University, B.A., summa cum laude, 1989, Harvard Law School, J.D., magna cum laude, 1995) joined LR in 2004 after eight years as a civil rights litigator with the ACLU and Lambda Legal Defense and Education Fund, where she successfully litigated cases involving employment discrimination, civil rights, privacy and equal protection at both trial and appellate levels. During law school Middleton served as editor and chief of the Harvard Women's Law Journal. Before law school Middleton worked as an organizer with SEIU.

### **Paul Schachter (Senior Counsel)**

Paul Schachter (MIT, 1968; Rutgers Law School, J.D., 1974) has been a labor and civil rights lawyer for 30 years. He is a past Director of the Rutgers Law School Labor Law Clinic, and has represented the NY Hotel Trades Council, AFL-CIO, and other unions. He is past General Counsel to the union chapters of the American Association of University Professors at Rutgers University, New Jersey Institute of Technology and Union County College, and has served as principal counsel for the Mailhandlers Union in the New York, New Jersey and Connecticut metropolitan area. He continues to be involved in the representation of these clients. He is on the panels of the United States District Court, the Superior Court and the EEOC in New Jersey as a neutral mediator.

### **Ezekiel Carder (Associate)**

Ezekiel Carder (University of California at Santa Cruz, B.A., 1995, Northwestern School of Law of Lewis & Clark College, J.D., 1999; ) joined Levy Ratner in October 2004. Formerly an associate at Weinberg, Roger & Rosenfield, P.C., in Oakland, CA, Carder has extensive experience representing unions and benefit funds in the building and construction trades. At Levy Ratner, Carder concentrates on a wide range of labor, employee benefit fund and bankruptcy issues.

### **Dana E. Lossia (Associate)**

Dana Lossia (Northwestern University, B.A., summa cum laude 2001, Harvard Law School, J.D., 2005) joined Levy Ratner in December 2005. She represents unions in New York and New Jersey in arbitrations, administrative proceedings, NLRB cases and federal and state court litigation. She also represents plaintiffs in complex employment discrimination litigation, including a challenge to racially discriminatory hiring practices at the NYC Fire Department. Lossia has also litigated on behalf of tenants in land use and zoning appeals before the NYC Board of Standards and Appeals. Additionally, she provides start-up services for not-for-profit organizations and foundations, including drafting and filing initial articles of incorporation and obtaining federal tax exemption under IRC 501(c)(2), (c)(3) and (c)(4).

Lossia's work at Harvard Law School centered on economic, social and cultural rights, including a two-year healthcare rights project in Ghana and a year-long working

group on U.S. education reform. Lossia has worked at East Bay Community Law Center's HIV/AIDS Unit and as a federal policy associate at the San Francisco AIDS foundation. Prior to attending law school, she worked as an education reform organizer in Chicago.

**Sara D. Newman (Associate)**

Sara D. Newman (George Washington University, B.A., 1997; Fordham University School of Law, J.D., 2004) earned the Archibald R. Murray Public Service Award while at Fordham. Prior to attending law school, Sara worked at the AFL-CIO on organizing campaigns for the UFCW and UFW. She also has extensive political experience, has worked as a strategist on and consultant to numerous political campaigns and is a member of our Election Law Department under Kevin A. Finnegan. Following law school, Newman served as Assistant General Counsel to UNITE HERE, Local 6. She currently teaches a class in Labor Law at Queens College as a Guest Professor.

**Susan J. Cameron (Associate)**

Susan J. Cameron (SUNY Binghamton, B.A., cum laude, 1994; Johns Hopkins School of Public Health, M.H.S., 2000; Brooklyn Law School, J.D., cum laude, 2006) joined Levy Ratner in September 2006. Prior to law school she served as a Peace Corps Volunteer in rural Nicaragua, worked as an occupational safety and health consultant to Farmworker advocacy groups, and then worked at the United Food and Commercial Workers International Union as a Labor Safety and Health Trainer. While in law school Ms. Cameron was awarded an Edward V. Sparer Public Interest Law fellowship and clerked at SEIU Local 32BJ.

At LR, Cameron is involved in all aspects of the firm's labor practice and represents unions and individual employees in arbitrations, litigation and proceedings before the NLRB and other administrative agencies. She has advised candidates for union office with respect to the LMRDA and has appeared before a neutral election monitor regarding internal union elections. Cameron is a fluent Spanish speaker and represents employees, particularly low-wage immigrant workers, in litigation under the Fair Labor Standards Act and other federal and state employment statutes. She has also represented non-profit organizations in civil rights and first amendment litigation.

**Micah Wissinger (Associate)**

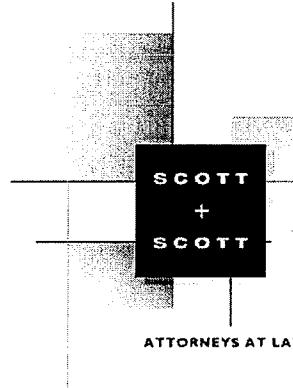
Micah Wissinger (Oklahoma City University, B.A., summa cum laude, 1999, Northeastern University J.D. 2002;) joined Levy Ratner in October 2007. He has spent his entire career in the labor movement. Prior to joining LR, Wissinger completed a one year post-graduate legal fellowship at the SEIU and then went on to service as SEIU Assistant General Counsel to SEIU, representing the union in hospital organizing campaigns and corporate social responsibility campaigns across the country. He has extensive experience with union recognition matters, negotiating organizing rights agreements with national employers such as HCA and Tenent that resulted in successful organizing campaigns in

California and Florida. At LR, Wissinger continues to represent SEIU in hospital organizing and corporate social responsibility campaigns.

Wissinger also has experience in collective bargaining negotiations, arbitration and internal union disputes. During law school, Wissinger won the Louis Jackson National Student Writing Competition for his submission *Informing Workers of the Right to Workplace Representation: Reasonably Moving from the Middle of the Highway to the Information Superhighway*, 78 Chi-Kent L. Rev. 331 (2003).

**Ryan J. Barbur (Associate)**

Ryan J. Barbur (University of Minnesota-Twin Cities, B.A., 2004; Columbia Law School, J.D., 2007) joined Levy Ratner in September 2007. While in law school he worked for the Hennepin County Public Defender's Office and the General Counsel's Office of the SEIU. At LR, Ryan focuses on employee benefit fund and bankruptcy issues.



## SCOTT + SCOTT, LLP

### MISSION STATEMENT

The firm prides itself on its continuing dedication to client satisfaction and communication. Founded by alumni of larger firms, our attorneys encourage our clients to share their fiduciary, business and personal philosophies with us. We then invest the time to learn about our clients' operations and interests so that each representation can truly be a collaborative effort. We believe strongly that the practice of law should be conducted in a straightforward and honorable manner. We work diligently to ensure that intelligence, preparation and knowledge, as opposed to abusive and often counterproductive gamesmanship, are utilized to achieve the best result for our clients in a cost-effective manner. In so doing, we dedicate ourselves to practicing at the highest legal and ethical standards. We believe that our clients, as well as the numerous established law firms with whom we work and oppose, trust our word and respect the nature of our advocacy.

Scott + Scott regularly works with other firms on major litigation and with firms of only the highest quality and reputation so as to ensure the best representation for our clients. From its inception, the firm has been committed to producing legal work of the highest professional quality. It combines the flexible, informal and cooperative atmosphere of a smaller firm with a sophisticated practice, involving substantial and challenging legal issues more typically associated with larger firms.

### Securities Class Action and Corporate Governance Litigation

Scott + Scott is a nationally recognized law firm that recovers money for individual and institutional investors who have suffered from corporate stock fraud through securities class action and corporate governance litigation. Scott + Scott's philosophy is simple – officers and directors of a corporation should be responsible to their shareholders and the public markets. The firm has participated in recovering billions of dollars and achieved precedent-setting reforms in corporate governance on behalf of investors and shareholders.

### Employee Retirement Litigation

Scott + Scott actively litigates complex class actions across the United States on behalf of corporate employees alleging violations of the federal Employee Retirement Income Security Act of 1974 (ERISA). ERISA was enacted by Congress to prevent employers from exercising improper control over retirement plan assets and requires that pension and 401(k) plan trustees, including employer corporations, owe the highest fiduciary duties to retirement plans and their participants as to their retirement funds. Scott + Scott is committed to continuing its leadership

in ERISA and related employee-retirement litigation, as well as to those employees who entrust their employers with hard-earned retirement savings.

### **Antitrust Litigation**

The firm is actively involved in litigating many complex antitrust cases throughout the United States. In such actions, Scott + Scott works to ensure that the markets remain free, open and competitive to the benefit of both consumers purchasing and business enterprises operating in such markets. In addition to traditional price-fixing cases, the firm has taken the lead in a number of novel antitrust claims throughout the United States.

### **Consumer Rights Litigation**

Scott + Scott regularly represents aggrieved consumers in a variety of class action cases pending throughout the United States. In addition to more typical cases involving consumer finance issues, such as *In re: Providian Credit Card Litigation* (Superior Court of California, County of San Francisco), the firm is litigating cases against a number of health maintenance organizations (HMO) and other corporate defendants, including: *Albert v. Physician Health Services of Connecticut, Inc.* and *O'Brien v. Aetna, Inc. and Aetna-U.S. Healthcare, Inc.* (United States District Court, District of Connecticut); *Medical Society of the State of New York v. Connecticut General Corporation, et al.* (New York Supreme Court, County of New York); and *Granito, et al. v. International Business Machines, Inc.* (Connecticut Superior Court). Scott + Scott also has been involved in a number of major consumer fraud cases under state consumer protection laws, including: *Harnage v. Publishers Clearing House* (Connecticut Superior Court); *Gould v. IDT Corporation* (United States District Court, District of New Jersey); *In re: Kava Kava Litigation* (Superior Court of California, County of Los Angeles); *Fischer, et al. v. MasterCard International, Inc., et al.* (New York Supreme Court, County of New York); and *Paton, et al. v. Cingular Wireless, et al.* (Superior Court of California, County of San Francisco).

### **Human Rights & Civil Rights Litigation**

Scott + Scott is also an advocate of human and civil rights. For instance, Scott + Scott was active in the *World War II Era Japanese Forced Labor Litigation*, suing Japanese companies in U.S. court on behalf of thousands of aging veterans and civilians forced to work as slaves for Japanese corporations during World War II. In addition, Scott + Scott currently represents a nationwide class of workers of United Parcel Service (UPS), alleging that UPS violates the Americans with Disabilities Act.

## ATTORNEY BACKGROUND AND EXPERIENCE

**DAVID R. SCOTT** is a graduate of St. Lawrence University (B.A., *cum laude*, 1986), Temple University School of Law (J.D., Moot Court Board, 1989) and New York University School of Law (LL.M. in taxation). He concentrates in commercial and class action trial work. Mr. Scott's trial work involves antitrust, intellectual property, commercial and complex securities litigation. Mr. Scott's antitrust litigation experience includes matters dealing with illegal tying, price-fixing and monopolization actions. He has served as lead counsel in numerous antitrust and securities class action lawsuits. Notably, Mr. Scott served as co-lead counsel in *In re: Priceline.com Securities Litigation* (\$80 million settlement); *Thurber v. Mattel, Inc.* (\$122 million settlement); *In re: Emulex Corp. Securities Litigation* (\$39 million settlement); *In re: Sprint Securities Litigation* (\$50 million settlement); *In re: Northwestern Corporation Securities Litigation* (\$61 million settlement); *Irvine, et al. v. ImClone Systems, Inc., et al.* (\$75 million settlement); *Schnall, et al. v. Annuity and Life Re (Holdings) Ltd., et al.* (\$16 million settlement); and *In re: Qwest Communications International, Inc.* (significant corporate governance reforms and \$25 million for the company), among others. His securities litigation experience includes matters dealing with securities fraud class actions, derivative/corporate governance litigation and representation of start-up technology companies in private securities litigation. Presently, Mr. Scott is serving as lead counsel in: *In re: General Motors ERISA Litigation*; *In re: Guidant Corp. Securities Litigation*; *In re: Priceline.com Securities Litigation*; *Shirk v. Fifth Third Bancorp, et al.*; *In re Merck ERISA Litigation*; *Pugh, et al. v. Tribune Company, et al.*, *In re Openwave Systems, Inc. Shareholder Derivative Litigation* (option-backdating litigation); *In re: Marvell Technology Group Ltd. Derivative Litigation* (option-backdating litigation); and *Garber v. Fuld, et al.* (Lehman Bros Holdings, Inc., option-backdating litigation), among others. Mr. Scott is admitted to practice in Connecticut, Pennsylvania, New York, the United States Tax Court and many United States District Courts.

**BETH A. KASWAN** has represented plaintiffs in cases involving securities and consumer fraud since 1998. Prior to 1998, Ms. Kaswan served in the Giuliani administration as New York City's Chief Procurement Officer, a Deputy Commissioner in the Department of Investigations and the Finance Department's Chief Counsel.

Ms. Kaswan, having majored in accounting at college, began her career at Peat, Marwick, Mitchell & Co. and later served as a trial attorney with the U.S. Department of Justice, Tax Division. In 1985, she joined the U.S. Attorney's Office for the Southern District of New York, and was promoted to Chief of Commercial Litigation and then Deputy Chief of the Civil Division. While employed by the government, Ms. Kaswan litigated several high-profile cases to judgment, including the landmark case of *United States v. Gleneagles Inv. Co.*, where following a multi-stage, thirteen month trial, the fraudulent conveyance laws were first applied to set aside a leveraged buy-out. She also represented the Federal Reserve for its enforcement actions against the rogue bank, BCCI, leading to the global RICO plea agreement and forfeiture of BCCI's \$550 million of United States assets; the IRS for its \$5 billion claim against Drexel, the Defense Department and MARAD for *qui tam* and other false claims actions against Goodyear Aerospace, Loral and General Dynamics and the FDA to enjoin the manufacture of adulterated generic drugs. See, e.g., *United States v. Gleneagles Inv. Co.*, 565 F. Supp. 556 ("Gleneagles I"), 571. F. Supp.

935 ("Gleneagles II"), 584 F. Supp. 671 ("Gleneagles III") (M.D. Pa. 1981), aff'd in part and rev'd in part sub. nom., *United States v. Tabor Ct. Realty Corp.*, 803 F.2d 1288 (3d Cir. 1986); In re Smouha ("BCCI"), 136 B.R. 921 (S.D.N.Y. 1992); *United States v. Davis*, 803 F. Supp. 830 (S.D.N.Y. 1992), aff'd in part and rev'd in part sub. nom., *United States v. General Dynamics Corp.*, 19 F.3d 770 (2d Cir. 1994); *United States v. Barr Laboratories, Inc.*, 812 F. Supp. 458 (D.N.J. 1993).

Ms. Kaswan received several awards from the Justice Department and the agencies she represented, including the Justice Department's John Marshall award, Special Commendation from the Attorney General, a Superior Performance award from the Executive Office of U.S. Attorneys, Tax Division Outstanding Achievement awards, and awards from the FDA Commissioner and U.S. Customs Service. She has testified before the New York legislature as a government expert on money-laundering and lectured in Justice Department training programs on evidence and other subjects.

**JUDITH S. SCOLNICK** is a graduate of New York University (BA cum laude 1972), Brandeis University (MA 1973) and Boston College Law School (JD summa cum laude 1976) where she served on the Boston College Industrial and Commercial Law Review. She began her career as a law clerk to the late Honorable Anthony Julian of the United States District Court in Massachusetts and then served as a trial attorney in the Civil Division of the United States Department of Justice from 1977 until 1981. As a trial attorney Ms. Scolnick was the lead counsel in several high-profile employment discrimination lawsuits against various US agencies around the country. She also drafted the policy position followed by all US Attorneys' offices concerning employment discrimination cases that ensured coordination between the positions of the Civil Rights Division as prosecutor of discrimination cases against private employer and the Civil Division as the defender of employment cases against US agencies. Ms Scolnick then served with the General Counsel's office of British Airways, where she primarily practiced employment law. Ms. Scolnick also played a primary role in negotiating key operating contracts and obtaining governmental approval of the alliance between British Airways and American Airlines. Ms. Scolnick has lectured and written extensively in the areas of prosecution and defense of Title VII, Americans with Disabilities Act, age discrimination, and compliance with the discrimination provisions of the Air Carrier Access Act. Ms. Scolnick is admitted to practice in New York, New Jersey, and Massachusetts.

**AMANDA F. LAWRENCE** is a graduate of Dartmouth College (B.A., cum laude, 1998) and Yale Law School (J.D. 2002). During law school, Ms. Lawrence worked for large firms in Washington, D.C., New York, and Cleveland. After graduating from Yale, she worked in-house at a tax lien securitization company and for several years at a large Hartford based law firm. At Scott + Scott she actively is engaged in the firm's complex securities, corporate governance and antitrust litigation. Ms. Lawrence is also an avid cyclist, having obtained five NCAA National Champion titles and raced throughout the United States, Europe, Bermuda, and, most recently, Pakistan. She is licensed to practice in Connecticut.

## ***ORGANIZATIONAL RÉSUMÉ***

### **CENTER FOR CONSTITUTIONAL RIGHTS**

Center for Constitutional Rights  
666 Broadway, 7<sup>th</sup> Floor  
New York, NY 10012  
(212) 614-6464  
(212) 614-6499 (fax)  
[www.ccrjustice.org](http://www.ccrjustice.org)

The Center for Constitutional Rights (CCR) is a non-profit legal and educational organization dedicated to advancing and protecting the rights guaranteed by the United States Constitution, federal civil rights laws, and the Universal Declaration of Human Rights. Founded in 1966 by attorneys who represented civil rights movements in the South, CCR has for over four decades used litigation proactively to advance the law in a positive direction, to empower poor communities and communities of color, to guarantee the rights of those with the fewest protections and least access to legal resources, to train the next generation of constitutional, civil rights, and human rights attorneys, and to strengthen the broader movement for constitutional, civil, and human rights in the United States and internationally.

CCR focuses its legal work in three docket areas: (1) International Human Rights, (2) the Guantanamo Global Justice Initiative, and (3) Government Misconduct/ Racial Justice. In each of these docket areas, CCR, often in collaboration with private law firms and other non-profit legal organizations around the country, has commenced and successfully prosecuted high-impact class actions and individual lawsuits which have established important precedents in constitutional, civil, and human rights law. In the areas of government misconduct and racial justice in particular, CCR has for many years been at the forefront of using innovative and novel legal theories and strategies to combat racial profiling by law enforcement, discrimination against racial and ethnic minorities in both public and private employment, harsh and unconstitutional treatment of state and federal prisoners, and other modern-day manifestations of racial repression.

Below is a list of some of CCR's notable federal employment discrimination and civil rights class action cases:

#### **Federal Employment Discrimination Cases:**

- *Andrews v. Drew Municipal Separate School Dist.*, No. GC 73-20-K (N.D. Miss.)
- *Abdullah v. Wood, Wire, & Metal Lathers Int'l Union, Local 46*, 94 Civ. 6675 (TPG) (S.D.N.Y.)
- *Gulino v. Board of Education of the New York City School District*, 96 Civ. 8414 (S.D.N.Y.) (class action)

- *Latino Officers Ass 'n v. City of New York*, 99 Civ. 9568 (LAK) (SDNY) (class action)
- *Almontaser v. Hilton Hotels Corp.*, 02 Civ. 2146 (LTS) (S.D.N.Y.)
- *Harrington v. Reuter*, 05-CV-3341 (SLT) (E.D.N.Y.)

**Other Recent Federal Civil Rights Class Actions**

- *Daniels v. City of New York*, 99 Civ. 1695 (SAS) (S.D.N.Y.)
- *Byrd v. Goord*, 00 Civ. 2135 (GBD) (S.D.N.Y.)
- *Turkmen v. Ashcroft*, 02 CV 2307 (JG) (E.D.N.Y.)
- *Floyd v. City of New York*, 08 Civ. 1034 (SAS) (S.D.N.Y.)